

Application No.: 09/704179

Docket No.: SMQ-038/P5129

BEST AVAILABLE COPY**REMARKS**

Claims 1-2, and 4-36 are currently pending of which claims 1, 19 and 35 are independent.

Objection to Claim 36

Claim 36 was objected to based on the Examiner's position that a mismatch existed between claim 36 (a medium claim) and the Examiner's view of claim 35(i.e. that it was not a valid medium claim). The underlying claim 35 has been amended to address the Examiner's concerns.

Rejections Pursuant to 35 U.S.C. §112

Claims 1, 19 and 35 were rejected for insufficient antecedent basis for a claim limitation. All three of the claims in question have been amended and the amendment renders the rejection moot.

Rejections Pursuant to 35 U.S.C. §101

Claim 35 was rejected as being an invalid medium claim. Applicants have amended the wording of claim 35 in an attempt to address the Examiner's concerns.

Rejections Pursuant to 35 U.S.C. §102(e)

Claims 1-6, 18-22 and 34-36 were rejected as being unpatentable over Nawaz et al (United States Patent No. 6,421,694, hereafter "Nawaz "). For the reasons set forth below, those rejections are respectfully traversed.

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BEST AVAILABLE COPYSummary of Claimed Invention

The claimed invention addresses the display limitations encountered in prioritizing and displaying messages received from multiple network devices. The claimed invention provides a priority messaging protocol that enables a display device to prioritize the messages received from multiple network devices and allows the display device to communicate with the network devices over the network. The priority messaging protocol is used to register each network device with the display device. A priority message queue for each registered device is created on the display device. Each priority message queue is assigned a priority by the display apparatus based on the identity of the network device. All messages received from a network device are placed in the priority message queue associated with the network device. Each message is further sorted within the priority message queue based on a priority level encoded in the message by the sending device and identified by the display device. Messages are displayed based first on the priority between the respective message queues and then by priority within the message queue. The claimed invention also provides two-way communication between the network device and the display device that enables the retrieval of message status information by the network device.

Summary of Claim Amendments

The three independent claims, claims 1, 19 and 35, have been amended to clarify that a priority messaging queue is created for each registering device on the display device and to make the registration step explicit in each independent claim. The independent claims have further been amended to indicate that each priority message queue has a priority level assigned to it based on the identity of the registered networked electronic device, and that each display message received by the display device from a registered networked electronic device is placed in the priority message queue that is assigned to the networked electronic device. The remaining amendments are to alter dependencies based on the amendments and the correction of typographical errors in claims 18 and 34.

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BEST AVAILABLE COPYSummary of Nawaz et al

Nawaz discusses a system for showing a dynamically changing ticker on a desktop. The ticker includes data from a number of different sources including various network sources. Data is displayed in a substantially continuous sequence on the desktop in a ticker pane in a windowing environment. Nawaz provides the ability to handle a high priority email differently from regular emails (see col. 9, line 57-60).

Argument

For the reasons set forth below, Applicant respectfully suggests that Nawaz fails to disclose all of the elements of Applicant's independent claims 1, 19 and 35 and the claims dependent thereon.

As noted above, claim 1 has been amended to incorporate the registration limitation of the previous claim 3 and some of the elements of claim 7 regarding the creation of a priority message queue for each network device on the display device. The Examiner has admitted that Nawaz does not disclose a priority message queue on the display device for each networked electronic device that is registered with the display device (see page 9 of Office Action, second full paragraph). Instead, the Examiner relied on a combination of Nawaz and Hebel et al (United States Patent No. 6, 073, 177, hereafter "Hebel". The proposed combination is discussed in detail below) as teaching the elements of claim 7. As the amendments to the independent claims 1, 19 and 35 all include the limitation indicating that a separate priority message queue is created on the display device for each network device, Nawaz alone does not disclose all of the elements of Applicant's claims. Accordingly, Applicant requests the withdrawal of the 35 U.S.C. §102(e) rejections directed to claims 1-6, 18-22 and 34-36.

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Rejections Pursuant to 35 U.S.C. §103(a)**BEST AVAILABLE COPY**

Claims 7-13, 16-17, 23-29 and 32-33 were rejected as being unpatentable over Nawaz in view of Hebel. For the reasons set forth below, those rejections are respectfully traversed.

Summary of Hebel

Hebel discusses a dynamic data synchronization network with multiple workstations communicating with a server over a network. The server stores a master copy of a design model while the workstations generate data for the model. Input from the workstations to the server is controlled to only allow selective access to the model so that the workstations remain synchronized with the master copy of the model. A message queue is used to control access to the server based on priority of the messages.

Argument

As discussed above, Applicant has amended his independent claim 1 (and the corresponding medium claim 35) to incorporate limitations from claim 7 which require the creation of a priority message queue on the display device for each registered network device with the queues being assigned different priorities based upon the identity of the network device. The Examiner had relied upon the combination of Nawaz in view of Hebel as disclosing the creating of a separate priority message queue on the display device for each networked electronic device that is registered with the display device (see Office Action, page 9). Applicant respectfully suggests that the reliance on Hebel as disclosing the creation of the separate priority messaging queues is misplaced.

A close examination of Hebel reveals that Hebel does not teach or suggest the creation of a priority message queue on the display device for each network device. The Examiner cited Figure 2, element 13 which shows a server (not a display device) with only a single unified queue. Similarly Figure 4A in Hebel is cited by the Examiner as teaching the limitation. However, a review of the description of Hebel's priority messaging system, see col. 5, line 39, col. 6, line 4, makes clear that the server has only a single unified queue and that all the

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messages are inserted into the single queue. "Both the server 13 and the client workstations 11 have a queue labeled Q in Figure 2. This buffering of incoming messages provides the basis of priority messaging. Received messages are insertion sorted into the queue by priority. For the server 13, after all waiting client messages have been read the messages in the queue Q can be selectively handled. Any messages arriving while messages are being processed are not moved to the queue until it has been emptied at which time the next rotation occurs [emphasis added]." Once the queue is empty, rotation occurs and the next workstation's messages are inserted in the queue. "Starvation is avoided using a rotation scheme [see col. 5, lines 50-51]". Additionally, the locking mechanism employed in Hebel makes even a priority 1 message wait until the next rotation (see col. 6, lines 2-4). While the workstations each have a queue, the server (which the Examiner is suggesting is the equivalent of Applicant's display device) has only a single queue.

In contrast, Applicant's claimed invention creates a unique priority message queue for each device on the display device with the identity of the device affecting the priority given to the queue. See Figure 1 in Applicant's application. This is fundamentally different than the system discussed in Hebel. As the background in Applicant's application points out, rotation mechanisms such as those employed in Hebel result in less important messages bumping more important messages (and less important device messages bumping more important device messages). Hebel shows a single unified queue which is sequentially sorted and processed on a rotating basis with new messages being locked out until the end of the rotation. This is simply not the equivalent of Applicant's claim elements in which messages may be selected from a plurality of message queues on a continuing basis.

Claim 19 incorporates similar limitations from claim 23 which was rejected on the same basis as claim 7. Applicant submits the same argument in support of claim 19.

Accordingly, since the combination of references fails to teach or suggest all of the elements of Applicant's independent claims, Applicant requests the withdrawal of the 35 U.S.C. §103(a) rejections directed to claims 7-13, 16-17, 23-29 and 32-33.

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Claims 14-15 and 30-31 were rejected as being unpatentable over Nawaz in view of Hebel in further view of Menig et al (United States Patent Number 6, 289, 332, hereafter "Menig"). For the reasons set forth below, those rejections are respectfully traversed.

Menig discusses an integrated prioritized message system for a vehicle. The Examiner cites Menig as teaching or suggesting the limitations of "sending a list of Message IDs appearing in a priority message queue from said display device to a particular networked electronic device registered with said display device in response to a request from said particular networked electronic device"(claims 14 and 30) and "sending a status message providing a current status of a message in a priority message queue from said display device to a registered networked electronic device registered with said display device in response to a request from said registered networked electronic device" (claims 15 and 31). However, Menig, either alone or in combination with Nawaz and Hebel, does not teach or suggest the creation of priority message queues on the display device, the limitation discussed above that is missing from the combination of Nawaz and Hebel and present in Applicant's amended independent claims (and therefore also present in claims 14-15 and 30-31). Accordingly, Applicant requests the rejections directed to claims 14-15 and 30-31 be withdrawn.

Additional Information

Applicant also wishes to respectfully direct the Examiner's attention to the following United States patent application directed to a display device used in conjunction with the priority messaging protocol of the present invention:

Our Reference No.	Serial No.	Filing Date
SMQ-039RCE	09/704,093	11/1/2000

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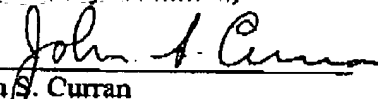
Conclusion

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Applicant believes no fee is due in connection with this response. In the event a fee is due, please charge our Deposit Account No. 12-0080, under Order No. SMQ-038 from which the undersigned is authorized to draw.

Dated: February 28, 2005

Respectfully submitted,

By 

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